

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

UNITED STATES OF AMERICA,

3:16-cr-00051-BR

Plaintiff,

TRIAL OBSERVATION ORDER

v.

AMMON BUNDY, RYAN BUNDY,  
SHAWNA COX, PETER SANTILLI,  
DAVID LEE FRY, JEFF WAYNE  
BANTA, KENNETH MEDENBACH, and  
NEIL WAMPLER,

Defendants.

BROWN, Judge.

In order to ensure a public jury trial that is fair and orderly for all concerned, the Court issues this Order and provides the following information related to the jury trial in the above captioned matter set to begin with in-court, jury-selection proceedings on September 7, 2016:

1. The Mark O. Hatfield United States Courthouse opens at 7:00 a.m. Trial proceedings outside the presence of the jury will begin each day at 8:30 a.m. and will convene in the jury's presence no later than 9:00 a.m. each day. Trial proceedings in the jury's presence will be held four days per week until the

trial is complete. Except for the week of October 10, 2016, when the Columbus Day holiday falls on a Monday and court will not be in session on that day, jury trial proceedings will occur Monday through Thursday of each trial week unless the Court otherwise directs. Except on Friday, September 30, 2016, when court will not be in session for this matter, the Court may schedule proceedings outside the jury's presence on Fridays of each trial week to facilitate the efficient presentation of evidence in the jury's presence.

2. The jury trial proceedings will be conducted in Courtroom 9A which will have live, public observation space for approximately 25 individuals. Due to the parties' projection that trial may last up to three months, the jury box in Courtroom 9A was enlarged from a 16-juror capacity to now seat up to 20 jurors. In addition, due to the space requirements needed to accommodate trial counsel and their assistants as well as each of the 8 Defendants being tried together, and in light of the requirements of the United States Marshals Service (USMS) with respect to security within the trial courtroom, the well area of Courtroom 9A was expanded resulting in the loss of some space ordinarily available for observers.

Each Defendant may designate up to two individuals who will be issued a badge reserving their seats in the public observation area of courtroom 9A at the beginning of each day. Similarly,

the government may designate up to two individuals from relevant agencies, law enforcement, or the U.S. Attorney's Office to be issued a badge reserving their seats in the public observation area of courtroom 9A at the beginning of each day. Any such reserved seating not occupied at the time court first convenes will be released to a member of the public for that court day. The remaining seats will be open to the public, including media representatives, on a first-come, first-served basis. Any observer who obtains a seat in courtroom 9A when the court first convenes will be issued a badge allowing them to keep that seat for the remainder of the day's proceedings. The observer may vacate their seat by turning in their badge at which time it may be reissued to another party.

3. Courtroom 13A will be available to the public, including media representatives, for observation of all trial proceedings via live audio and video feed. If all seats in Courtroom 9A are full, observers will be directed to Courtroom 13A.

4. USMS or such security personnel as designated by USMS ("USMS personnel") will perform secondary screening of all observers in both Courtroom 9A and Courtroom 13A.

5. Pursuant to the policy of the Judicial Conference of the United States, audio and/or video recording of the proceedings in any manner and from any location within the

Hatfield Courthouse if strictly prohibited. This rule will be enforced by USMS personnel.

6. Outside both Courtroom 9A and 13A, USMS personnel will collect from all observers, including media members, and will check and store all cellular telephones, smartphones, laptops, and other electronic devices (including wristwatches) that can be used for communication and/or recording purposes. Observers may collect their electronic device(s) from USMS personnel during breaks in the proceedings and when the Court recesses at the end of each day, but all such device(s) must be returned to the USMS personnel before reentering either Courtroom 9A or Courtroom 13A.

7. All observers in Courtroom 9A and Courtroom 13A must leave the courtroom promptly during the midday lunch break and when the Court recesses at the end of each day.

8. Observers will not be permitted to have any food or beverages in Courtroom 9A or Courtroom 13A.

9. Observers in Courtroom 9A must remain silent once Court proceedings convene, and they may not disrupt Court proceedings in any way, including by speaking while Court is in session or by gesturing in a way that could distract the parties, jurors, witnesses, or the Court. Observers in Courtroom 9A must enter or reenter the courtroom before proceedings begin or resume, and observers who leave the courtroom while court is in session will not be permitted to return until during the next break in the

proceedings. Observers in Courtroom 9A must follow all instructions of USMS and/or Court personnel regarding available seating and courtroom conduct.

10. Observers in Courtroom 13A may not disrupt other observers or USMS or Court personnel, and they must follow all instructions of USMS and/or Court personnel regarding available seating and courtroom conduct.

11. Observers, including media representatives, are prohibited from blocking any entrance or exit to the Courthouse or any door or hallway within the Courthouse.

12. All observers, including media representatives, are strictly prohibited from attempting to communicate with any prospective juror or any juror seated for the trial until the Court releases the jury from service after the trial.

13. Any person who violates any provision of this Order is subject to removal from the courtroom and the Courthouse by USMS personnel, and/or exclusion from the public observation spaces in both Courtroom 9A and Courtroom 13A for the remainder of the trial, and/or potential sanctions imposed by the Court.

IT IS SO ORDERED.

DATED this 25th day of August, 2016.

  
ANNA J. BROWN  
United States District Judge